

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

FILED

2019 NOV 20 PM 2:17

U.S. BANKRUPTCY COURT
MIDDLE DISTRICT OF TN.

In re)
)
AARON BRANSON,) Case No. 3:19-BK-05112
) Chapter 7
Debtor.) Judge Harrison
)

AARON WELLS,
JESSICA WELLS

Plaintiffs,

v.

AARON BRANSON,

Defendant.

)
)
) Adversary No. 3:19-ap-90182
)
)
)
)
)

MOTION FOR ENTRY OF DEFAULT BY CLERK

Plaintiff(s), Aaron Wells and Jessica Wells, move this Court for entry of a default against the Defendant, Aaron Branson, and would show:

1. The Adversary Compliant was filed with the Court on September 25, 2019.
2. The summons was signed/issued by Judge Harrison on September 26, 2019.
3. Service was made by summons in accordance with Federal Rule of Bankruptcy Procedure 7004 on the Defendant by serving Aaron Branson at 4405 Maximillion Circle, Murfreesboro, TN 37128 on October 3, 2019.
4. The Certificate of Service was filed with the Court on October 3, 2019.

5. No extension of time was sought by the Defendant.

6. Defendant(s) has/have failed to file a responsive pleading or motion to the Complaint within 30 days from the date of issuance.

7. Based on the Defendant's bankruptcy petition and our personal knowledge, the Defendant is not in the military service.

8. Wherefore, Plaintiff(s) seek(s) a default against the Defendant as a result of the failure to respond.

Dated: November 19, 2019.

Aaron Wells

Aaron Wells

111 Sweethaven Ct

Franklin TN 37069

CERTIFICATE OF SERVICE

A true and correct copy of the foregoing has been sent by U.S. mail on October 2nd, received October 3rd, to:

Aaron Branson
4405 Maximillion Circle
Murfreesboro TN 37128
UPS Next Day Air
Tracking Number: 1Z3303W30156164705
(See Attached Receipt Confirmation)

U.S. Bankruptcy Court
Middle District of Tennessee
701 Broadway
Room 170
Nashville TN 37203
UPS Next Day Air
Tracking Number: 1Z3303W30129348746

Tim Smith
P.O. Box 333012
Murfreesboro TN 37133
USPS Express Mail
Tracking Number: 9470110200793177008079

Timothy G. Niarhos, Trustee
Niarhos and Waldron PLC
1106 18th Avenue South
Nashville TN 37212
UPS Next Day Air
Tracking Number: 1Z3303W30141721998

Dated: November 19, 2019.

Aaron Wells

Aaron Wells

111 Sweethaven Ct

Franklin TN 37069

CERTIFICATE OF SERVICE

I, Aaron Wells certify that service of this summons and a copy of the complaint was made 10/2/2019 by:

☒ Mail service: Regular, first class United States mail, postage fully pre-paid, addressed to:

S. Bankruptcy Court
Middle District of
Tennessee
21 Broadway
Room 170
Nashville TN 37203

Aaron Branson
4405 Maximillion
Murfreesboro TN 37128

Tim Smith
P.O. Box 333012
Murfreesboro TN 37133

Timothy G. Niarhos, Trustee
Niarhos + Waldron PLLC
1106 18th Ave South
Nashville TN 37212

☐ Personal Service: By leaving the process with the defendant or with an officer or agent of defendant at:

☐ Residence Service: By leaving the process with the following adult at:

☐ Certified Mail Service on an Insured Depository Institution: By sending the process by certified mail addressed to the following officer of the defendant at:

☐ Publication: The defendant was served as follows: [Describe briefly]

☐ State Law: The defendant was served pursuant to the laws of the State of _____, as follows: [Describe briefly]

☐ If service was made by personal service, by residence service, or pursuant to state law, I further certify that I am, and at all times during the service of process was, not less than 18 years of age and not a party to the matter concerning which service of process was made.

Under penalty of perjury, I declare that the foregoing is true and correct.

Date 10/2/2019

Signature Aaron Wells

Print Name:

Business Address:
Home

Aaron Wells
111 Sweethaven Ct
Franklin TN 37069



ATTN : AARON WELLS
PHONE : (615)771-2120

DELIVERY NOTIFICATION

INQUIRY FROM: OTH
THE UPS STORE
2000 MALLORY LN RM 130
FRANKLIN TN 37067

SHIPMENT TO: AARON BRANSON
4405 MAXIMILLION CIR
MURFREESBORO TN 37128

Shipper Number.....**3303W3**

Tracking Identification Number...**1Z3303W30156164705**

According to our records, 1 parcel was delivered on 10/03/19 at 9:39 A.M., and left at your CUSTOMER'S FRONT DOOR.

United States Bankruptcy Court
Middle District of Tennessee

In re:

AARON BRANSON,

Debtor(s).

Bankruptcy Case No. 319-05112
Chapter 7
Judge Harrison

AARON WELLS,
JESSICA WELLS,

Plaintiff(s)

Adversary
Proceeding No. 3:19-ap-90182

v.

AARON BRANSON,

Defendant(s)

PRELIMINARY PRETRIAL ORDER

The party responsible for serving the summons shall, along with the summons, serve a copy of this Preliminary Pretrial Order on all parties.

COUNSEL FOR ALL PARTIES ARE ORDERED to confer with all opposing counsel and pro se parties at least seven (7) days before the pretrial conference, and together prepare in writing and file **no less than five (5) days prior to the pretrial conference**, a **JOINT DOCUMENT**, captioned "**PRETRIAL STATEMENT**" containing the following:

FOR PLAINTIFF

1. A brief statement of each claim or cause of action.
2. A brief summary of plaintiff's contentions of fact in support of each claim or cause of action and the evidence to be relied upon to establish those facts.

FOR DEFENDANT

1. A brief statement of each defense.

2. A brief summary of defendant's contentions of fact in support of each defense and the evidence to be relied upon to establish those facts.

FOR THE INTERVENOR(S), THIRD-PARTY PLAINTIFF(S), (DEFENDANTS), ETC.

1. A brief statement of each claim, cause of action or defense.
2. A brief summary of facts in support of each claim, cause of action or defense, and the evidence to be relied upon to establish those facts.

FOR ALL PARTIES

1. A statement of all admitted or uncontested facts.
2. Each party's brief statement of contested facts.
3. Each party's brief statement of contested legal issues.

All of the above is to be incorporated in one document which is to be signed by all attorneys and pro se parties prior to the filing. **Failure to comply with this order may result in dismissal of the action, default, the assessment of costs and attorneys' fees or other appropriate remedies.**

ORDERED this 26th day of September, 2019.

/s/ MARIAN F. HARRISON
U.S. BANKRUPTCY JUDGE

United States Bankruptcy Court
Middle District of Tennessee

In re:

AARON BRANSON,

Debtor(s).

Bankruptcy Case No. 319-05112
Chapter 7
Judge Harrison

AARON WELLS,
JESSICA WELLS.

Plaintiff(s)

Adversary
Proceeding No. 3:19-ap-90182

v.

AARON BRANSON,

Defendant(s)

**SUMMONS AND NOTICE OF PRETRIAL CONFERENCE
IN AN ADVERSARY PROCEEDING**

To the Defendant(s): YOU ARE SUMMONED and required to file a motion or answer to the complaint which is attached to this summons with the clerk of the bankruptcy court within 30 days after the date of issuance of this summons, except that the United States and its offices and agencies shall file a motion or answer to the complaint within 35 days.

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF TENNESSEE
701 BROADWAY, ROOM 170
NASHVILLE, TN 37203

At the same time, you must also serve a copy of the motion or answer upon the plaintiffs.

NAME AND ADDRESS OF PLAINTIFFS

**AARON WELLS
JESSICA WELLS
111 SWEETHAVEN COURT
FRANKLIN, TN 37069**

If you make a motion, your time to answer is governed by Fed. R. Bankr. P. 7012.

YOU ARE NOTIFIED that a pretrial conference of the proceeding commenced by the filing of the complaint will be held at the following time and place:

UNITED STATES BANKRUPTCY COURT MIDDLE DISTRICT OF TENNESSEE 701 BROADWAY, SECOND FLOOR NASHVILLE, TN 37203	COURTROOM THREE
	DATE & TIME 12/4/2019 1:15 p.m.

If you fail to respond to this summons, your failure will be deemed to be your consent to entry of a judgment by the bankruptcy court and judgment by default may be taken against you for the relief demanded in the complaint.

To the Plaintiff(s): You must serve this Summons and Notice of Pretrial Conference together with the complaint no later than 7 days after the issuance date shown below. If more than 7 days pass before service is completed, a new summons must be requested and served.

9/26/2019
Issuance Date

/s/ Teresa C. Azan
Clerk of the Bankruptcy Court

By: /s/ Carol Merritt
Courtroom Deputy Clerk



UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

IN RE:	:	
AARON BRANSON,	:	CASE NO. 3:19-BK-05112
Debtor.	:	
	:	ADVERSARY PROCEEDING NO.: _____
AARON WELLS and JESSICA WELLS,	:	
PLAINTIFFS,	:	CHAPTER 7
	:	
VS.	:	JUDGE MARIAN F. HARRISON
	:	
AARON BRANSON,	:	Date Case Filed for Chapter 7: 08/11/2019
DEBTOR / DEFENDANT	:	
	:	
	:	

ADVERSARY COMPLAINT TO DISCHARGEABILITY

COMES now AARON WELLS and JESSICA WELLS, Plaintiffs, and for their adversarial complaint to dischargeability of the debt owed to them by Debtor, AARON BRANSON, Defendant, Plaintiffs would show as follows:

I – PARTY PLAINTIFFS

The Plaintiffs, AARON WELLS and JESSICA WELLS, are husband and wife and individuals who are residents of Williamson County, Tennessee residing at 111 Sweethaven Court, Franklin, Tennessee 37069.

II – PARTY DEBTOR DEFENDANT

The Debtor, Defendant, AARON BRANSON is an individual and resident of Rutherford County, Tennessee, residing at 4405 Maximillion Circle, Murfreesboro, TN 37128-4280 who was also conducting a business by the name of Quicken Clean Services LLC out of his home at the time of the transaction which is the subject of this complaint. The Plaintiffs did not

know at the time they entered into business with the Defendant but they now know that Quicken Clean Services LLC is merely a name under which defendant Aaron Branson conducted business and is not and never was incorporated in any way under the laws of the state of Tennessee. Moreover, the Plaintiffs did not know the Defendant was not a licensed contractor by the state of Tennessee Board of Contractors when he entered into a contract with the Plaintiffs for home remodeling, though the Defendant presented himself as a licensed contractor.

III – JURISDICTION OF THIS COURT

Debtor, Defendant Aaron Branson filed this Chapter 7 case in the Middle District of Tennessee, Nashville Division and included Plaintiffs as a creditor seeking discharge of a debt of money paid by Plaintiffs to Defendant to have him remodel a portion of their home.

IV – CLAIM AGAINST THE DEBTOR

Plaintiffs assert a claim in excess of \$16,000.00 against the Defendant and seek to have this debt determined to be not subject to discharge because of false pretenses, false misrepresentation, and actual fraud on the part of the Debtor Defendant in obtaining these funds. The Debtor, Aaron Branson has listed the debt owed to Aaron and Jessica Wells as consumer debt. However, the Defendant obtained the \$16,000 from the Plaintiffs by fraudulently representing himself as a licensed contractor owning and operating a home repair business entitled Quicken Clean Services LLC when he entered into a contract with the Plaintiffs to renovate their attic. The documents evidencing the contract between the parties are attached to this complaint and identified as **Exhibit 1**-Bid and Scope of Work (The Bid was modified by oral agreement of the parties and the contract price became \$32,000.00 for the total bid). As can be seen from Exhibit 1, the Defendant represented himself as a General Contractor (G.C.) and his company as a limited liability corporation. Plaintiffs have since found both representations to be false.

The Plaintiffs paid the sum of \$16,000.00 by check to the Defendant and Defendant accepted payment and deposited the check into his personal account (**Exhibit 2**). Within a week, the Plaintiffs were having problems with the Defendant failing to be at the job site and with the quality of the work being performed. Shortly thereafter, the Defendant informed Plaintiffs he

would not be coming back to the Plaintiff's home to work on the project and upon learning this, the Plaintiffs cancelled the contract with Defendant and asked for a refund of the \$16,000.00, which Defendant initially agreed to do (**Exhibit 3**).

After several weeks passed and the defendant failed and refused to repay the \$16,000.00 the Plaintiffs hired an attorney on or about February 14, 2019 and initiated a civil action in the Rutherford County General Sessions Court on or about February 21, 2019. A hearing was scheduled in the case for March 12, 2019 and Defendant failed to show up for that hearing and Plaintiffs were granted a judgment in the amount of \$25,000.00 in default based upon the fact that it was proven satisfactorily to the Judge that the Defendant had entered into a contract for more than \$25,000.00 without having a General Contractor's license in violation of Tennessee state law and thus triple damages up to the limit of General Sessions jurisdiction were applicable under the Tennessee Consumer Protection Act. A copy of the General Sessions judgment is attached and identified as **Exhibit 4**.

Defendant appealed the General Sessions lawsuit to the Rutherford County Circuit Court. During discovery process the court deemed certain admissions of the Defendant to be accurate and admitted. These admissions are found in the attached order of the Circuit Court for Rutherford County, Tennessee, identified as **Exhibit 5**. Those admissions prove that Defendant was not a general contractor even though he signed his Scope of Work as such, and that his business was never incorporated in the state of Tennessee. Further, the admissions show that the Defendant never paid the Plaintiffs back their initial \$16,000.00 even though he initially stated that he would. Plaintiffs were seeking damages to the extent of General Sessions jurisdiction (\$25,000.00) in the Circuit Court civil general sessions appeal for the Defendant's fraud and misrepresentations in entering into the contract in excess of \$25,000 in violation of Tennessee state consumer law.

Plaintiffs were prepared to go forward and prove their case before the Rutherford County Circuit Court Clerk on August 20, 2019 when Plaintiffs and their attorney received notice of this bankruptcy proceeding one day prior to trial, August 19, 2019. Counsel for Plaintiffs called

the attorney for the Defendant Debtor in this bankruptcy action and the bankruptcy attorney stated that he did not know that there was a trial specifically scheduled for August 20, 2019. As a result of the bankruptcy filing the Rutherford County Circuit Court proceedings were stayed.

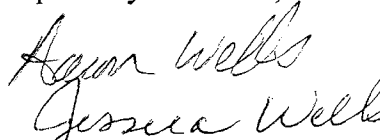
The defendant is currently being investigated by the Tennessee State Department of Commerce and Insurance (TSDCI) Case No. CON-2019009331 for violations of the statutes requiring persons acting as home construction contractors to have a general contractor's license issued by the State of Tennessee. Thus far during TSDCI's pursuit of this Case, the Tennessee Board for Licensing Contractors authorized during the May 2019 hearing for TSDCI to file charges for unlicensed contracting or settle the case with Aaron Branson d/b/a Quicken Clean Services LLC paying a civil penalty. Finally, as demonstrated in **Exhibit 6**, the Defendant publicly affiliates himself with Quicken Clean Services, LLC, though this entity is not listed within the forms submitted by defendant or his attorney in this bankruptcy action, Case No. 3:19-bk-05112.

V – RELIEF SOUGHT

WHEREFORE, as stated above, the evidence provided herein shows demonstrably the fraudulent actions the Defendant committed as an unlicensed general contractor under the guise of a fake limited liability corporation entitled “Quicken Clean Services LLC” to defraud the Plaintiffs of the money listed as debt to the Plaintiffs in this bankruptcy action, Case No. 3:19-bk-05112. It is our hope the Court reviews this evidence and determines Defendant to have used Chapter 7 bankruptcy in an attempt to continue to defraud the Plaintiffs by listing the debt as consumer debt and not disclosing his fraudulent actions. In summary, Plaintiffs are asking the Court for relief from the bankruptcy filing and accordingly, not discharging the debt owed to the Plaintiffs because of false pretenses, false misrepresentations and actual fraud and thereby removing Plaintiffs from the list of creditors for Case No. 3:19-bk-05112. Plaintiffs ask that they

be awarded the funds they have lost, \$16,000.00 plus legal fees incurred with pursuing the Defendant Debtor, or be allowed to pursue their ongoing civil action which is an appeal from a General Sessions judgment of \$25,000.00, which includes attorney's fees and additional damages pursuant to the Tennessee Consumer Protection Act.

Respectfully Submitted,

Handwritten signatures of Aaron Wells and Jessica Wells in cursive script.

AARON WELLS
JESSICA WELLS
111 Sweethaven Court
Franklin, TN 37069

EXHIBIT 1

Scope of Work

Quicken Clean Services LLC

Start date: 1-18-2019

Stages of work: 2

Stage 1 (framing, electrical, insulation, hvac modifications,)

Stage 2 (trim package, barn door, carpet, ceiling fans,)

Payments: 50 % upfront and 50 % at the end

Customer name and Address:

Aaron & Jessica Wells
111 Sweethaven Ct.
Franklin Tn

Business address:
4405 Maximillion Circle
Murfreesboro Tn 37128

G.C. Signature

Aaron Branson



4405
MURFREESBORO TN 37128

Bid

Date 1/7/19

TOTAL	\$ 40,400.00
-------	--------------

Expires

1

Scope of Work

Quicken Clean Services LLC

Start date: 1-18-2019

Stages of work: 2

Stage 1 (framing, electrical, insulation, hvac modifications,)

Stage 2 (trim package, barn door, carpet, ceiling fans,)

Payments: 50 % upfront and 50 % at the end

Customer name and Address:

Aaron & Jessica Wells
111 Sweethaven Ct.
Franklin Tn

Business address:
4405 Maximillion Circle
Murfreesboro Tn 37128

G.C. Signature

Aaron Branson



Invoice No. 01072019A

Customer

Name Aaron Wells
Address 111 Sweethaven Ct
City Franklin State TN ZIP 37069
Phone

Misc

Date 1/7/19

[illegible]

Payment

Select One...

Comments

Name

CC #

Expires

Sub Total	\$	40,400.00
-----------	----	-----------

17.00%

TOTAL	\$	40,400.00
-------	----	-----------

Progress Payments Will Be Arranged For Work Begins.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

01/18/2019

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Progressive Advantage Business Program PO Box 5316 Binghamton, NY 13902	CONTACT NAME: Progressive Advantage Business Program
	PHONE (A/C, No, Ext): 844-306-4926 FAX (A/C, No):
	E-MAIL ADDRESS: commercialservice@homesite.com
	INSURER(S) AFFORDING COVERAGE NAIC #
	INSURER A: Midvale Indemnity Company 27138
	INSURER B:
	INSURER C:
	INSURER D:
	INSURER E:
	INSURER F:

COVERAGES**CERTIFICATE NUMBER: 8821110124961343840119****REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	COMMERCIAL GENERAL LIABILITY			GLP1029984	10/11/2018	10/11/2019	EACH OCCURRENCE	\$1,000,000
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR	N	N				DAMAGE TO RENTED PREMISES (Ea occurrence)	\$100,000
							MED EXP (Any one person)	\$5,000
							PERSONAL & ADV INJURY	\$1,000,000
							GENERAL AGGREGATE	\$2,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						PRODUCTS - COMP/OP AGG	\$2,000,000
	<input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC							
	OTHER:							
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident)	
	<input type="checkbox"/> ANY AUTO						BODILY INJURY (Per person)	
	<input type="checkbox"/> OWNED AUTOS ONLY						BODILY INJURY (Per accident)	
	<input type="checkbox"/> HIRED AUTOS ONLY						PROPERTY DAMAGE (Per accident)	
	<input type="checkbox"/> SCHEDULED AUTOS							
	<input type="checkbox"/> NON-OWNED AUTOS ONLY							
	UMBRELLA LIAB						EACH OCCURRENCE	
	EXCESS LIAB						AGGREGATE	
	DED							
	RETENTION \$							
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						PER STATUTE	OTH-ER
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? <input type="checkbox"/>						E.L. EACH ACCIDENT	
	(Mandatory in NH)						E.L. DISEASE - EA EMPLOYEE	
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - POLICY LIMIT	
	PROFESSIONAL LIABILITY						OCCURRENCE	
							AGGREGATE	

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Janitorial Cleaning Services

HANDYMAN SERVICES

CERTIFICATE HOLDER

QUICKEN CLEAN SERVICES

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

© 1988-2015 ACORD CORPORATION. All rights reserved.

EXHIBIT 2

Exhibit. Images of check made out by Plaintiffs to Quicken Clean Services LLC, and subsequent deposit by Debtor Defendant Aaron Branson at First Bank.

Check # 2424

2424

Check Number: 2424

Account Number: 22529755

Posted Date: Jan 22 2019

Amount: \$16,000.00

Save this image

JESSICA L WELLS
AARON R WELLS
111 SWEETHAVEN CT
FRANKLIN TN 37069-7198

2424
20190122

1/18/2019

Pay to the Order of Quicken Clean Services LLC \$ 16,000
Sixteen thousand and 00/100 Dollars

USAA FEDERAL SAVINGS BANK
11750 MIDWAY DRIVE
SUITE 1000
DENVER CO 80231
1-800-541-7500

USAA

For Attic Room - Phase II Aaron Wells

⑆314074269⑆ ⑆22529756⑆ 2424

Done Next

Check # 2424

2424

Check Number: 2424

Account Number: 22529755

Posted Date: Jan 22 2019

Amount: \$16,000.00

Save this image

>084307033< 20190118
FirstBank
11101 35

11 FEB 11 2019
11 11 AM
11 11 AM
11 11 AM

Aaron Branson

EXHIBIT 3

Exhibit. Written communication from Debtor Defendant Aaron Branson d/b/a Quicken Clean Services LLC stating to Plaintiffs that they will receive their \$16,000 deposit in full.

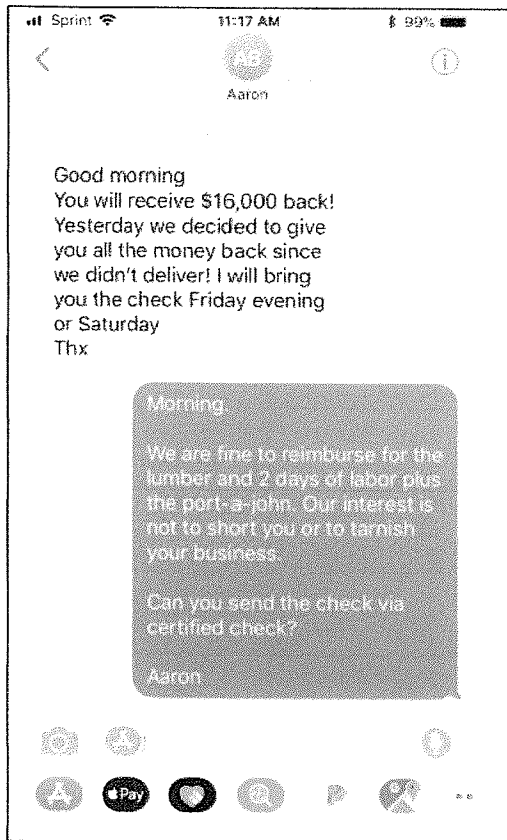


EXHIBIT 4

CIVIL WARRANT

State of Tennessee, County of Rutherford
To Any Lawful Officer to Execute and Return

Summon Aaron Branson d/b/a
Quicken Clean Services LLC
to appear before the Court of General Sessions Civil of
Rutherford County, Tennessee, to be held at the Courtrooms
of said Court in said County on the 12th
day of March, 2019
at 9:00 M., then and there to answer in a civil action
brought by Aaron & Jessica Wells

for breach of construction contract
and violation against
quoting, bidding and negotiating
projects in excess of \$25,000.00
without a contractors license.

Plaintiffs seek damages

Under \$25,000.00 Dollars

This the 21 day of February, 2019

MELISSA HARRELL, Clerk of Court of General Sessions Civil
Brittany Dackmann Deputy Clerk

JUDGMENT

Judgment by: Default Non-suit without prejudice
Trial Dismiss Failure to Prosecute
Agreement Dismiss on Merits

Judgment for the PLFF/DEFT against the PLFF/DEFT
for \$ 25,000.00

dollars and cost of suit, for which Execution may issue. Post judgment
interest is ordered at 12 %. This ordered the 12
day of March, 2019

Quicken Clean Services Civil

NOTICE

TO THE DEFENDANT(S):

Tennessee law provides a ten thousand dollar (\$10,000.00) personal property exemption from execution or seizure to satisfy a judgment. If a judgment should be entered against you in this action and you wish to claim property as exempt, you must file a written list, under oath, of the items you wish to claim as exempt with the clerk of the court. The list may be filed at any time and may be changed by you thereafter as necessary; however, unless it is filed before the judgment becomes final, it will not be effective as to any execution or garnishment issued prior to filing of the list. Certain items are automatically exempt by law and do not need to be listed; these include items of necessary wearing apparel (clothing) for yourself and your family and trunks or other receptacles necessary to contain such apparel, family portraits, the family Bible, and school books. Should any of these items be seized you would have the right to recover them. If you do not understand your exemption right or how to exercise it, you may wish to seek the counsel of a lawyer.

(24-5-107)

NOTICE TO DEFENDANT :

If the plaintiff or plaintiff's agent has attached an affidavit of correctness to this civil lawsuit, then you must file a sworn statement denying you owe the amount for which you have been sued. In the alternative, you may appear in court on the scheduled hearing date and orally deny the account under oath and assert any defense or objection you may have.

I, , do solemnly swear that I am a resident of the State of Tennessee and that owing to my poverty, I am not able to bear the expense of the action which I am about to commence and that I am justly entitled to the relief sought, to the best of my belief.

Sworn to and subscribed before me,

This the day of ,

20

Deputy Clerk.

ANA COORDINATOR (615-494-4480)

No. 288061

Aaron & Jessica Wells
111 Sweethaven Ct.
Franklin, Tennessee

Vs
Aaron Branson d/b/a
Quicken Clean Services LLC
4405 Maxmillion Circle
Murfreesboro, TN 37128

CIVIL WARRANT

COURT OF GENERAL SESSIONS CIVIL

MELISSA HARRELL, CLERK
Brittany Dackmann Deputy Clerk

Issued February 21, 2019

Set for MARCH 12, 2019

At 9:00 A.M., in ROOM 303

of the Rutherford County Court Building.

Reset

Reset

Reset

Reset

Came to hand same day as issued and executed as commanded on

Personal Service on

Aaron Branson d/b/a

Quicken Clean Services LLC

This 25 day of Feb., 2019

Dennis Young Deputy Sheriff
112 S. Maple St.
Murfreesboro, TN 37129

Gary D. Beasley, Atty.

112 S. Maple St.
Murfreesboro, TN 37130 Attorney for Plaintiff
615-893-1331

Attorney for Defendant

EXHIBIT 5

LODGED 7/30/19

Honorable Howard Wilson, Chancellor
Final Hearing Scheduled: Tuesday, August 20, 2019, @ 9:00 a.m.

IN THE CIRCUIT COURT FOR RUTHERFORD COUNTY, TENNESSEE
AT MURFREESBORO

AARON and JESSICA WELLS,

Plaintiffs,

vs.

No. 75594

AARON BRANSON d/b/a QUICKEN
CLEAN SERVICES LLC

Defendant.

ORDER

This cause came before the court on the 26th day of July 2019, upon the following motions of the plaintiff: Motion to Compel Production of Discovery; Motion to Deem Admitted; and Motion for Default or in the Alternative to Set for Trial on a Date Certain. It appears from the record that the defendant, Aaron Branson, was properly and timely served with the motions but failed to appear on first call and one hour later on the second call of the docket. Further, no attorney has filed a notice of appearance or otherwise entered an appearance on behalf of defendant even though he was previously given more time to obtain counsel. Upon the motions, statements of counsel for the plaintiff, and the entire record in this cause;

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that:

A. The Motion to Compel Production of Discovery is well taken and the defendant is hereby ordered to answer the propounded interrogatories and produce the documents that were requested by plaintiffs, within 10 days of July 26, 2019.

B. The Motion to Deem Admitted is well taken therefore the following statements are hereby deemed admitted by the defendant, Aaron Branson d/b/a Quicken Clean Services LLC, and may be used at the trial of this cause as evidence in plaintiffs' case in chief:

1. Admit that you did not possess a general contractor's license with the State of Tennessee when you quoted the \$40,400.00 construction job to Aaron and Jessica Wells on January 7, 2019.

RESPONSE: ADMITTED

2. Admit that you did not possess any type of license with the State of Tennessee when you quoted the \$40,400.00 construction job to Aaron and Jessica Wells on January 7, 2019.

RESPONSE: ADMITTED

3. Admit that you did not possess any type of license with the State of Tennessee when you entered into the construction agreement with Aaron and Jessica Wells at a total cost of \$32,000.00 and when Mr. and Mrs. Wells paid you the sum of \$16,000.00.

RESPONSE: ADMITTED

4. Admit that Quicken Clean Services LLC was not incorporated on January 7, 2019, with the State of Tennessee.

RESPONSE: ADMITTED

5. Admit that Quicken Clean Services LLC has never been incorporated with the State of Tennessee.

RESPONSE: ADMITTED

6. Admit that plaintiffs paid you the sum of \$16,000.00 toward a total cost of \$32,000.00 to perform construction work on their home.

RESPONSE: ADMITTED

7. Admit that you signed the "Scope of Work" document as G.C. meaning General Contractor.

RESPONSE: ADMITTED

8. Admit that you texted Mr. Wells the following: "Good morning You will receive \$16,000 back! Yesterday we decided to give you all the money back since we didn't deliver! I will bring you the check Friday evening or Saturday Thx".

RESPONSE: ADMITTED

9. Admit that as of the date you are answering these admissions you have not paid Mr. and Mrs. Wells back the sum of \$16,000.00.

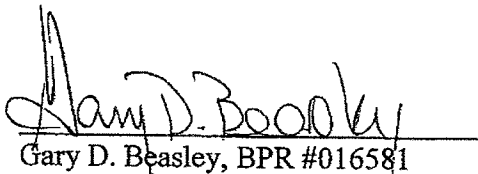
RESPONSE: ADMITTED

C. As to the Motion for Default or in the Alternative to Set for Trial on a Date Certain, the Court determined that a motion for default under Rule 55 of the Tennessee Rules of Civil Procedure is not appropriate in this case where the defendant did properly appeal the case from a general sessions judgment; however, the Court determined it appropriate to set this case for final hearing on a date certain and absent extraordinary circumstances the defendant shall not be allowed any further continuances to obtain new counsel or otherwise delay his defense of the case. Therefore, this case is hereby set for **final hearing on Tuesday the 20th day of August 2019, beginning at 9:00 a.m. before the Honorable Howard Wilson, Chancellor, in Courtroom 5D of the Rutherford County Judicial Center, 116 West Lytle Street, Murfreesboro, Tennessee 37130.** This case is expected to take two (2) hours of court time for final hearing.

ENTERED this ____ day of _____ 2019.

Howard Wilson, Chancellor

APPROVED FOR ENTRY:



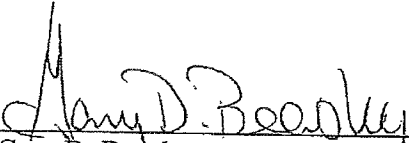
Gary D. Beasley, BPR #016581
Attorney for Plaintiffs
112 South Maple Street
Murfreesboro, TN 37130
(615) 893-1331
(615) 893-2000 Fax
gary@kidwellsouthbeasley.com

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the foregoing has been sent via
U.S. MAIL to:

Defendant, Aaron Branson
4405 Maximillion Circle
Murfreesboro, TN 37128-4280

this 30th day of July 2019.



Gary D. Beasley

**PLEASE TAKE NOTICE THAT A FINAL HEARING IN THIS CASE IS HEREBY
SCHEDULED BEFORE THE HONORABLE HOWARD WILSON, CHANCELLOR, IN
COURTROOM 5D OF THE RUTHERFORD COUNTY JUDICIAL CENTER, 116 WEST
LYTLE STREET, MURFREESBORO, TENNESSEE 37130, ON TUESDAY, THE 20TH
DAY OF AUGUST 2019, BEGINNING AT 9:00 A.M.**

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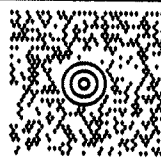
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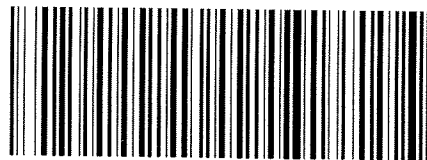
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